

# OAL CHECKLIST NOTICE REVIEW

Z-No. \_\_\_\_\_

Agency: \_\_\_\_\_

Reviewer: \_\_\_\_\_

Due Date: \_\_\_\_\_

(All citations are to the Government Code unless otherwise specified. CCR means California Code of Regulations)

REQUIREMENT	OK?	PROBLEMS
<b>FOUR COPIES</b> of the text of the notice?		
<b>TWO COPIES</b> of Form 400? (1 CCR 5)		
<b>ONE COPY EACH</b> of the proposed text and Initial Statement of Reasons submitted? (11346.2(a) & (b))		
<b>ONE COPY</b> of STD Form 399 submitted, fiscal impact statement complete, signed by Agency Secretary or highest ranking official in the rulemaking agency if not under an Agency Secretary.		
<b>FORM 400:</b> Part A of Form 400 completed? (1 CCR 5)		
<b>BUILDING STANDARDS:</b> If changes to title 24 are indicated, is approval by BSC provided? (HSC 18935(a))		
<b>NOTICE OF PROPOSED RULEMAKING</b>		
<b>HEARING:</b> Time, place, nature of proceeding included? (11346.5(a)(1)) If <b>NO HEARING</b> scheduled, is information on opportunity to request one included? (11346.5(a)(17))		
<b>WRITTEN COMMENT PERIOD:</b> Date written comment period closes included? At least 45 days or other time period specified by statute) between publication date and hearing/close of written comment period? (11346.4(a); 11346.5(a)(15))		
<b>AUTHORITY and REFERENCE:</b> citations included? (11346.5(a)(2); 1 CCR 14)		
<b>INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW:</b> <ul style="list-style-type: none"> <li>• Directly related existing laws and regulations and effect of proposed regulations concisely and clearly summarized?</li> <li>• Broad, and, if appropriate, specific objectives explained?</li> <li>• In plain English?</li> <li>• Format similar to Legislative Counsel digest? (11346.5(a)(3))</li> <li>• Significant difference from existing, comparable federal regulation or statute described? Citation to federal regulation or statute included? (11346.5(a)(3))</li> </ul>		

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<ul style="list-style-type: none"> <li>Document incorporated by reference into the regulation listed by title and date? (1 CCR 20(c)(3))</li> </ul>		
<b>ADOPTING OR AMENDING REGULATIONS MANDATED BY FEDERAL LAW OR REGULATIONS:</b> If so, is a statement included that a federally mandated regulation or amendment to a regulation is being proposed, together with a citation to where an explanation of the provisions of the regulation can be found? (11346.2(c))		
<b>OTHER STATUTORY REQUIREMENTS:</b> Specific to agency or type of regulation? (11346.5(a)(4))		
<b>LOCAL MANDATE:</b> Determination (policy or expenditure) included? If “yes,” does mandate require reimbursement? (11346.5(a)(5))		
<b>FISCAL IMPACT:</b> (11346.5(a)(6)) <ul style="list-style-type: none"> <li>Cost to any local agency or school district for which 17500-17630 require reimbursement?</li> <li>Other non-discretionary cost or savings imposed upon local agencies?</li> <li>Costs or savings to any state agency?</li> <li>Costs or savings in federal funding to the state?</li> </ul>		
<b>EFFECT ON HOUSING COSTS:</b> Statement re significant effect on housing costs, if initially determined? (11346.5(a)(12))		
<b>SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE?</b> (11346.3(a); 11346.5(a)(7); 11346.5(a)(8)) <ul style="list-style-type: none"> <li>If proposal <i>may have</i> such an impact, does notice:               <ul style="list-style-type: none"> <li>State “initial” determination?</li> <li>Identify types of businesses affected?</li> <li>Describe projected compliance requirements?</li> <li>Solicit proposed alternatives using boilerplate at 11346.5(a)(7)(C)? (11346.5(a)(7))</li> </ul> </li> <li>If proposal <i>will not have</i> such an impact, does notice state “initial” determination? (11346.5(a)(8))</li> </ul>		

REQUIREMENT	OK?	PROBLEMS
<b>ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES:</b> Statement of results of assessment regarding creation/elimination of CA jobs and creation of new, or elimination/expansion of existing CA businesses included? (11346.5(a)(10))		
<b>COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS:</b> Statement of all known cost impacts a representative person or business would incur in reasonable compliance included? If not, boilerplate “not aware of any cost” statement specified in 11346.5(a)(9) included? (11346.5(a)(9))		
<b>BUSINESS REPORT:</b> If a regulation requires a report, is there a finding that it is necessary for the health, safety, or welfare of the people of the state that the regulation apply to business? (11346.5(a)(11); 11346.3(c))		
<b>SMALL BUSINESS:</b> Statement that proposed action does/does not affect small businesses? Reason for “does not affect” determination? (1 CCR 4)		
<b>ALTERNATIVES STATEMENT:</b> Statement that a least burdensome reasonable alternative determination must be made? (11346.5(a)(13))		
<b>CONTACT PERSON:</b> Name and telephone number of agency representative, backup contact person, and agency person or persons designated to respond to substance questions? (11346.5(a)(14))		
<b>AVAILABILITY STATEMENTS</b> regarding: <ul style="list-style-type: none"> <li>• Availability of express terms?</li> <li>• Statement that an initial statement of reasons is prepared and available?</li> <li>• Statement re availability of information upon which proposal is based (rulemaking file)? (11346.5(a)(16); 11346.5(b); 11346.2(a))</li> </ul>		
<b>15-DAY CHANGES:</b> Statement about 15-day availability of substantial changes to the original proposal? (11346.5(a)(18))		
<b>FINAL STATEMENT OF REASONS:</b> Statement explaining how to get a copy of the final statement of reasons? (11346.5(a)(19))		
<b>INTERNET ACCESS:</b> Statement explaining how materials published or distributed through the agency’s Internet website, if the agency has one, can be accessed? (11346.4(a)(6); 11346.5(a)(20))		